

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

OSRIC JONES,

Plaintiff,

v.

UNKNOWN DEFENDANT,

Defendant.

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Case No. 4:21-cv-00021-CDL-MSH

ORDER

Pro se Plaintiff Osric Jones, a previous inmate at the Muscogee County Prison in Columbus, Georgia filed a document in the United States District Court for Northern District of Georgia that was docketed as a 42 U.S.C. § 1983 civil rights claim. ECF No. 1. Plaintiff's claim was transferred to this Court. ECF No. 8. Plaintiff did not pay the \$402.00 filing fee nor did he request to proceed without prepayment of the filing fee.

On April 14, 2021, Plaintiff was ordered to recast his complaint on a § 1983 form and to either submit a motion to proceed *in forma pauperis* or pay the full filing fee. ECF No. 11. Plaintiff was given fourteen (14) days to respond and was informed that failure to comply would result in dismissal of his action. *Id.* Plaintiff failed to respond.

Therefore, on May 5, 2021, the Court notified Plaintiff that it had not received a response and ordered him to show cause why his action should not be dismissed for failure to comply and diligently prosecute his claims. ECF No. 12. The Court unambiguously informed Plaintiff that his action would be dismissed if he failed to respond. *Id.* Plaintiff

was given fourteen (14) days to respond and he has failed to do so.

Because Plaintiff has failed to respond to the Court's orders or otherwise prosecute his case, his complaint is **DISMISSED WITHOUT PREJUDICE**. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

SO ORDERED, this 1st day of June, 2021.

S/Clay D. Land

CLAY D. LAND, JUDGE
UNITED STATES DISTRICT COURT